

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF MARION     )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9259-CO010-1119-013

IN THE MATTER OF:       )  
                                  )  
Ticor Title Insurance Company    )  
                                  )  
Respondent,                        )  
                                  )  
601 Riverside Avenue            )  
Jacksonville, Florida 32204     )  
                                  )  
NAIC No.: 69656                 )

**FILED**

JAN 06 2011

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

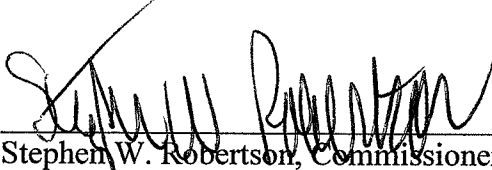
The Indiana Department of Insurance ("Department") and Ticor Title Insurance Company ("Respondent"), a title insurance company holding a Certificate of Authority to do business in Indiana, signed an Agreed Entry which purports to resolve all issues involved in the above captioned matter regarding alleged violations of Indiana Code §27-1-15.6-12(b)(8);, and which has been submitted to the Commissioner of Insurance (the "Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby fully incorporates by reference the Agreed Entry herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner:

1. Respondent shall pay an administrative penalty in the amount of two thousand dollars (\$2,000.00); paid within thirty (30) days of the filing of the Commissioner's Final Order.
2. Respondent shall pay the amount of five hundred dollars (\$500.00) to Stacey Jill Fekete, the Complainant in this matter. within thirty (30) days of the filing of the Commissioner's Final Order

ALL OF WHICH IS ORDERED this 6<sup>th</sup> day of January, 2011.

  
\_\_\_\_\_  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Laura A. W. Levenhagen, Attorney  
Indiana Department of Insurance  
311 West Washington Street, Suite 300  
Indianapolis, Indiana 46204-2787

Scott J. Fandre  
Baker & Daniels, LLP.  
202 S. Michigan Street, Suite 1400  
South Bend, IN 46601

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9259-CO010-1119-013

IN THE MATTER OF: )

Ticor Title Insurance Company )

Respondent, )

601 Riverside Avenue )

Jacksonville, Florida 32204 )

NAIC No.: 69656 )

**FILED**

JAN 06 2011

STATE OF INDIANA  
DEPT. OF INSURANCE

**AGREED ENTRY**

This Agreed Entry is executed by Laura A. W. Levenhagen, Attorney for and on behalf of the Indiana Department of Insurance ("Department"), and Fidelity National Title Insurance Company as successor in interest to the Indiana operations of Ticor Title Insurance Company ("Respondent"), a title insurance company licensed to do business in Indiana, to resolve all issues in the above captioned matter. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is a title insurance company with a statutory home office located in the State of California and holding a Certificate of Authority to do business in the State of Indiana; and

WHEREAS, Respondent's direct office in Crown Point, Indiana, provided closing and escrow services for a commercial loan secured by a purchase money mortgage dated August 30, 2006 ("Deed"), and executed by GC Construction, an Indiana company, to Allegiance Community Bank; and

WHEREAS, Respondent failed to timely file the Deed with the county recorder's office, and did not record the Deed until October 11, 2007; and

WHEREAS, Respondent, prior to recording the Deed, made unauthorized alterations to the Deed; and

WHEREAS, Respondent alleges that the Deed was rejected for recording by the county recorder's office causing a delay in the filing of the Deed; and

WHEREAS, Respondent alleges that the alterations to the Deed were perfunctory and non-material; and

WHEREAS, the Department alleges that the above conduct demonstrates incompetence and untrustworthiness on the part of Respondent in violation of Indiana Code Section 27-1-15.6-12(b)(8); and

WHEREAS, the Department and Respondent desire to resolve their differences and settle their issues without incurring the time and expense of a hearing;

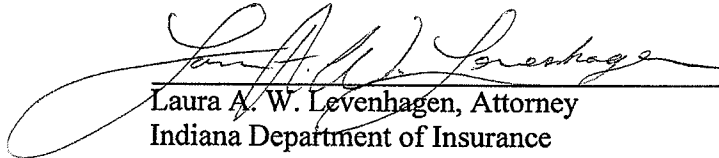
IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives the right to a public hearing in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.

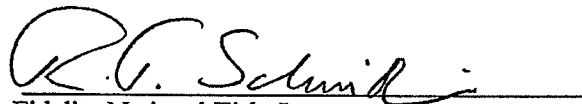
5. Respondent does not admit or deny any violation of Indiana Code. Respondent specifically denies that (a) the facts in this matter demonstrate incompetence or untrustworthiness in any degree; (b) Indiana Insurance Law Section 27-1-15.6-12 applies to the direct operations of title insurers; and (c) the filing of deeds constitutes the transaction of title insurance under Indiana law.
6. Respondent agrees to pay an administrative penalty in the amount of two thousand dollars (\$2,000.00) to the Department. The payment is due within thirty (30) days of the filing of the Commissioner's Final Order in this matter.
7. Respondent agrees to pay the amount of five hundred dollars (\$500.00) to Stacey Jill Fekete, the Complainant in this matter. The payment is due within thirty (30) days of the filing of the Commissioner's Final Order in this matter.
8. The Department agrees to accept Respondent's compliance with the agreement herein as full satisfaction of this matter.
9. Respondent has carefully read and examined this agreement and fully understands its terms.
10. Respondent has entered into this agreement freely, and has not been subject to duress, threat or undue influence.
11. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.

12. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.
13. Respondent has been represented by counsel, Scott J. Fandre, Baker & Daniels L.L.P., in this matter.

12/27/2010  
Date Signed

  
Laura A. W. Levenhagen, Attorney  
Indiana Department of Insurance

12/21/2010  
Date Signed

  
Fidelity National Title Insurance Company  
as successor in interest to  
Ticor Title Insurance Company

STATE OF FLORIDA )  
COUNTY OF DUVAL ) SS:

Before me a Notary Public for DUVAL County, State of Florida, personally  
appeared ROBERT T. SCHMIDLIN, on behalf of Fidelity National Title Insurance Company  
as successor in interest to Ticor Title Insurance Company, and being first duly sworn by me upon  
his her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 21 day of DECEMBER, 2010.

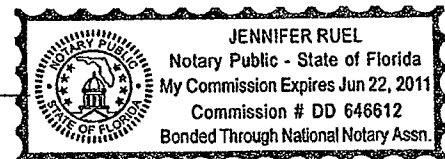
[Signature]  
Signature

JENNIFER RUEL

Printed

My Commissioner expires: 6-22-11

County of Residence: DUVAL



RETURN TO:

INDIANA DEPARTMENT OF INSURANCE  
Enforcement Division  
Suite 300  
311 West Washington Street  
Indianapolis, IN 46204-2787  
317/233-4243 - telephone  
317/232-5251 - facsimile